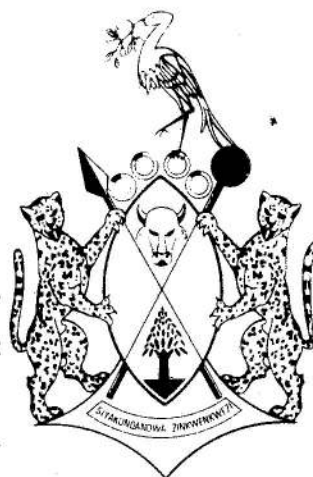


**IRIPHABLIKI  
YECISKEI**

**REPUBLIC OF  
CISKEI**

**IGAZETHI  
YOBURHULUMENTE**

**GOVERNMENT  
GAZETTE**



Dimbaza Printers - 21081

Price 30c

**Umq. 14**

**eBISHO  
28/11/86**

**No. 124**

**Vol. 14**

**BISHO  
28/11/86**

**No. 124**

**DEPARTMENT OF JUSTICE, POLICE AND PRISONS**

**GOVERNMENT NOTICE No. 95:**

**IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS  
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY  
PUBLISHED FOR GENERAL INFORMATION:—**

**LIQUOR AMENDMENT ACT, 1986**

**ACT No. 29 OF 1986**

# LIQUOR AMENDMENT ACT, 1986

## ACT

To amend the Liquor Act, 1983.

(English text signed by the President. Assented to on 31 October 1986)

*BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-*

**1. Amendment of section 1 of Act 13 of 1983, as amended by section 1 of Act 23 of 1984 and section 1 of Act 3 of 1985.** - Section 1 of the Liquor Act, 1983 (hereinafter in this Act referred to as the principal Act) is hereby amended by the substitution for paragraph (b) in the definition of "closed day" of the following paragraph:

"(b) includes, in relation to any bottle store licence, grocer's wine and malt liquor licence and wholesale liquor licence and any special right of off-sale authorized in conjunction with an hotel licence, any other day which is a public holiday."

**2. Amendment of section 4 of Act 13 of 1983.** - Section 4 of the principal Act is hereby amended by the addition to subsection (1) of the following proviso:

"Provided that, if any new licence (other than a temporary liquor licence or a late hour's licence) is issued on or after the first day of July in any year, only one-half of the prescribed amount shall be payable."

**3. Amendment of section 10 of Act 13 of 1983.** - Section 10 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

"(c) at any meeting any application or other matter whatsoever which the Minister may refer to that meeting, but subject to compliance by the applicant with the provisions of section 26 in any case in which such provisions apply."

**4. Substitution of section 26 of Act 13 of 1983.** - The following section is hereby substituted for section 26 of the principal Act:

**"26. Filing of late application for new licence.** - Notwithstanding the provisions of section 22, the magistrate shall accept for consideration by the licensing authority any application for the grant of a new licence -

(a) upon payment by the applicant of a fee of twenty rand if the application is lodged within ten days of the last day upon which it should have been lodged; or

(b) upon payment by the applicant of a fee of two hundred rand if the application is lodged after the expiration of such period of ten days."

**5. Repeal of section 35 of Act 13 of 1983.** - Section 35 of the principal Act is hereby repealed.

**6. Amendment of section 42 of Act 13 of 1983.** - Section 42 of the principal Act is hereby amended by the deletion of paragraph (d).

**7. Amendment of section 64 of Act 13 of 1983.** - Section 64 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) Subject to the provisions of subsections (3) and (4) no holder of an off-consumption licence shall sell or deliver to any person liquor in any quantity less than two hundred millilitres."

**8. Substitution of Schedule 1 of Act 13 of 1983, as amended by section 6 of Act 23 of 1984 and section 2 of Act 3 of 1985.** - The following Schedule is hereby substituted for Schedule 1 of the principal Act:

LIQUOR AMENDMENT ACT, 1986

"SCHEDULE 1

**PART 1: CLASSES OF LICENCES, LICENCE FEES AND CERTAIN  
CONDITIONS ATTACHING TO LICENCES**

(a) ON-CONSUMPTION LICENCES, that is to say licences which, subject to the provisions of this Act, authorize the sale or supply of liquor for consumption on the licensed premises and nowhere else:

*Item 1*

Class of licence: Club licence

Licence fee: R100

Under this licence the licence-holder may sell or supply liquor on any day to any member of the club for consumption by such member or his guest but not earlier than 10h00 or later than 23h00.

*Item 2*

Class of licence: Restaurant liquor licence

Licence fee: R100

Under this licence the licence-holder may sell on any day, to any person, who is *bona fide* taking or about to take in the restaurant a meal which he has purchased thereat and for which he has paid or is required to pay not less than two rand, liquor for consumption with or immediately before such meal, but not at any time other than between 12h00 and 14h30 and between 18h00 and 23h00.

*Item 3*

Class of licence: Mealtime wine and malt liquor licence

Licence fee: R35

Under this licence the licence-holder may sell or supply table wine, malt liquor and other fermented beverages on any day, to any person who is *bona fide* taking a meal (for which he has paid or is required to pay not less than one rand) on the licensed premises for consumption with such meal but not at any other time than between 12h00 and 14h00 and between 18h00 and 21h00.

*Item 4*

Class of licence: Late hour's licence

Licence fee: R10 per hour or portion of an hour

This licence shall authorize the sale or supply of liquor between 23h00 and such hour, which shall not be later than 02h00 on the following day, as the licensing authority may determine when granting the application.

*Item 5*

Class of licence: Temporary liquor licence

Licence fee: R20 per day in respect of each bar or other point of sale authorized under the licence.

This licence shall authorize the sale of liquor on any open day (not exceeding six consecutive days) on which the place of public function, recreation or amusement in respect of which it is granted is open to the public and then only during such hours as the magistrate shall specify, which hours shall be between the hours at which such place is opened and closed to the public but in any event not earlier than 10h00 or later than 23h00.

*Item 6*

Class of licence: Tavern licence

Licence fee: R300

Under this licence a licence-holder may, subject to any restriction imposed on him by the licensing authority, sell or supply, for consumption on the licensed premises on any day but not earlier than 10h00 or later than 23h00, liquor which he has lawfully acquired within Ciskei from the holder of a bottle store licence, an hotel licence with a special right of off-sale or a licence authorizing the sale of sorghum beer, and no other liquor.

(b) ON-CONSUMPTION LICENCES WITH OR WITHOUT SPECIAL RIGHT OF OFF-SALE, that is to say licences which, subject to the provisions of this Act, authorize the sale of liquor -

LIQUOR AMENDMENT ACT, 1986

- (i) in so far as the licence (other than a special right of off-sale) is concerned, for consumption on the licensed premises and nowhere else;
- (ii) in so far as a special right of off-sale is concerned, for consumption off the premises:

Item 7

Class of licence: Sorghum beer licence

Licence fee:

- (a) Without special right of off-sale: R10
- (b) With special right of off-sale: R20

Under —

(A) a sorghum beer licence without a special right of off-sale, the licence-holder may sell or supply sorghum beer on any day but not earlier than 09h00 or later than 23h00 for consumption on the licensed premises;

- (B) a sorghum beer licence with a special right of off-sale, the licence-holder may —
  - (i) sell or supply sorghum beer on any day but not earlier than 09h00 or later than 23h00, for consumption on the licensed premises; and
  - (ii) sell or supply sorghum beer between 08h30 and 20h00 for consumption off the licensed premises and deliver sorghum beer between 08h30 and 21h00.

Item 8

Class of licence: Hotel licence

Licence fee:

- (a) Hotel with special right of off-sale: R1 200
- (b) Hotel without special right of off-sale: R1 000

Under —

(A) an hotel licence (as distinct from a special right of off-sale) the licence-holder may, subject to any restriction imposed on him by the licensing authority and unless he has expressly been authorized otherwise in terms of this Act —

- (aa) sell or supply liquor on any open day for consumption on the licensed premises but not earlier than 10h00 or later than 23h00;
- (bb) sell or supply liquor on any closed day to any *bona fide* traveller or to any lodger on the licensed premises for consumption on such premises elsewhere than in the restricted portion thereof by such *bona fide* traveller or such lodger or his guest, as the case may be, but not earlier than 10h00 or later than 23h00;

- (B) a special right of off-sale, a licence-holder may —
  - (aa) on any open day other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell liquor between 08h30 and 20h00 and deliver liquor between 08h30 and 21h00, for consumption off the licensed premises;
  - (bb) on any open day fixed as a half working day in terms of a law referred to in section 62(2), sell liquor between 08h30 and 15h00 and deliver liquor between 08h30 and 16h00, for consumption off the licensed premises.

(c) OFF-CONSUMPTION LICENCES, that is to say licences which, subject to the provisions of this Act, authorize the sale of liquor for consumption off the licensed premises:

Item 9

Class of licence:

- (a) Bottle store in urban area: Licence fee: R1 000
- (b) Bottle store in rural area: Licence fee: R500

Under this licence the licence-holder may —

(A) on any open day, other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell liquor between 08h30 and 20h00 and deliver liquor between 08h30 and 21h00;

(B) on any open day fixed as a half working day in terms of a law referred to in section 62(2), sell liquor between 08h30 and 13h00 and deliver liquor between 08h30 and 16h00.

LIQUOR AMENDMENT ACT, 1986

*Item 10*

Class of licence: Sorghum beer brewer's licence  
Licence fee: R1 500

Under this licence the licence-holder may —

- (A) on his licensed premises brew or manufacture and sell and supply sorghum beer;
- (B) on any open day, other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell or supply sorghum beer to any person other than a licence-holder between 08h30 and 20h00 and deliver sorghum beer to any such person between 08h30 and 21h00;
- (C) on any open day fixed as a half working day in terms of a law referred to in section 62(2), sell or supply sorghum beer to any person other than a licence-holder between 08h30 and 16h00;
- (D) on any open day sell sorghum beer to any licence-holder between 07h00 and 18h00 and on any day deliver sorghum beer to any licence-holder or cause it to be conveyed to any public carrier for delivery to any licence-holder.

*Item 11*

Class of licence: Grocer's wine and malt liquor licence  
Licence fee: R800

Under this licence the licence-holder may —

- (A) on any open day, other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell table wine, sparkling wine and malt liquor between 08h30 and 21h00;
- (B) on any open day fixed as a half working day in terms of a law referred to in section 62(2), sell table wine, sparkling wine and malt liquor between 08h30 and 13h00.

*Item 12*

Class of licence: Wholesale liquor licence  
Licence fee: R1 500

Under this licence the licence-holder may on any open day sell and deliver liquor to any licence-holder between 07h00 and 18h00 and on any closed day (other than a Sunday, Christmas Day, Good Friday, Ascension Day or the Day of the Vow) convey liquor for delivery to any licence-holder in a rural area or cause it to be conveyed to any public carrier for delivery to any licence-holder and, subject to any restriction imposed on him by the licensing authority—

- (aa) on any open day other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell liquor to any person other than a licence-holder between 08h30 and 18h00 and deliver liquor to any such person between 08h30 and 19h00;
- (bb) on any open day fixed as a half working day in terms of a law referred in section 62(2), sell liquor to any person other than a licence-holder between 08h30 and 13h00 and deliver liquor to any such person between 08h30 and 17h00.

*Item 13*

Class of Licence: Brewer's licence  
Licence fee: R1 500

Under this licence the licence-holder may —

- (A) on his licensed premises brew or manufacture and sell malt liquor: Provided that where under any excise or other law any licence or permit is required for the brewing or manufacture of liquor, no liquor shall be brewed or manufactured save under such licence or permit;
- (B) on any open day other than the day fixed as a half working day in terms of a law referred to in section 62(2), sell malt liquor to any person other than a licence-holder between 08h30 and 18h00 and deliver malt liquor to any such person between 08h30 and 19h00;
- (C) on any open day fixed as a half working day in terms of a law referred to in section 62(2), sell malt liquor to any person other than a licence-holder between 08h30 and 13h00 and deliver malt liquor to any such person between 08h30 and 17h00;

## LIQUOR AMENDMENT ACT, 1986

(D) on any open day sell malt liquor to any licence-holder between 07h00 and 18h00 and on any day deliver malt liquor to any licence-holder or cause it to be conveyed to any public carrier for delivery to any licence-holder.

### PART 2: FEES PAYABLE ON TRANSFER OR REMOVAL OF LICENCE

Club licence .....	R 50
Restaurant liquor licence.....	R 50
Mealtime wine and malt liquor licence .....	R 20
Tavern licence .....	R100
Sorghum beer licence .....	R 10
Hotel licence .....	R200
Bottle store licence .....	R200
Sorghum beer brewer's licence .....	R500
Grocer's wine and malt liquor licence .....	R200
Wholesale liquor licence.....	R200
Brewer's licence.....	R500

### PART 3: APPLICATION FEE FOR NEW LICENCE

Club licence .....	R 50
Restaurant liquor licence.....	R 50
Mealtime wine and malt liquor licence .....	R 20
Tavern licence .....	R100
Sorghum beer licence .....	R 5
Hotel licence .....	R200
Bottle store licence:	
In urban area .....	R200
In rural area .....	R100
Sorghum beer brewer's licence .....	R500
Grocer's wine and malt liquor licence .....	R200
Wholesale liquor licence.....	R200
Brewer's licence .....	R500."

**9. Short title and commencement.** - This Act shall be called the Liquor Amendment Act, 1986 and shall come into operation on 1 January 1987.

OKUQULATHIWEYO			CONTENTS		
<i>Inani le-saziso</i>	<i>Inani lekhasi</i>	<i>Inani le-Gazethe</i>	<i>Govt. Notice No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
		<b>124</b>			<b>124</b>

DEPARTMENT OF JUSTICE, POLICE AND PRISONS

GOVERNMENT NOTICE No. 95

LIQUOR AMENDMENT ACT, 1986

ACT No. 29 OF 1986